

68TH CONGRESS : : : 2^D SESSION

DECEMBER 1, 1924-MARCH 4, 1925

SENATE DOCUMENTS

VOL. 20

WASHINGTON : : GOVERNMENT PRINTING OFFICE : : 1925

J66

Copy 2.

200



A.W. Elson & Co. Belmont, Mass.

LeBaron B. Colt



Memorial Addresses

DELIVERED IN THE SENATE AND
HOUSE OF REPRESENTATIVES OF
THE UNITED STATES IN MEMORY OF
L E B A R O N B. C O L T

LATE A SENATOR
FROM RHODE ISLAND



Sixty-Eighth Congress

PROCEEDINGS IN THE SENATE
JANUARY 19, 1925

PROCEEDINGS IN THE HOUSE
FEBRUARY 15, 1925



GOVERNMENT PRINTING OFFICE

WASHINGTON

1925

803

1163 13 1101 12


AMERICAN LIBRARY

PREPARED UNDER THE DIRECTION OF
THE JOINT COMMITTEE ON PRINTING

LIBRARY OF CONGRESS
RECEIVED

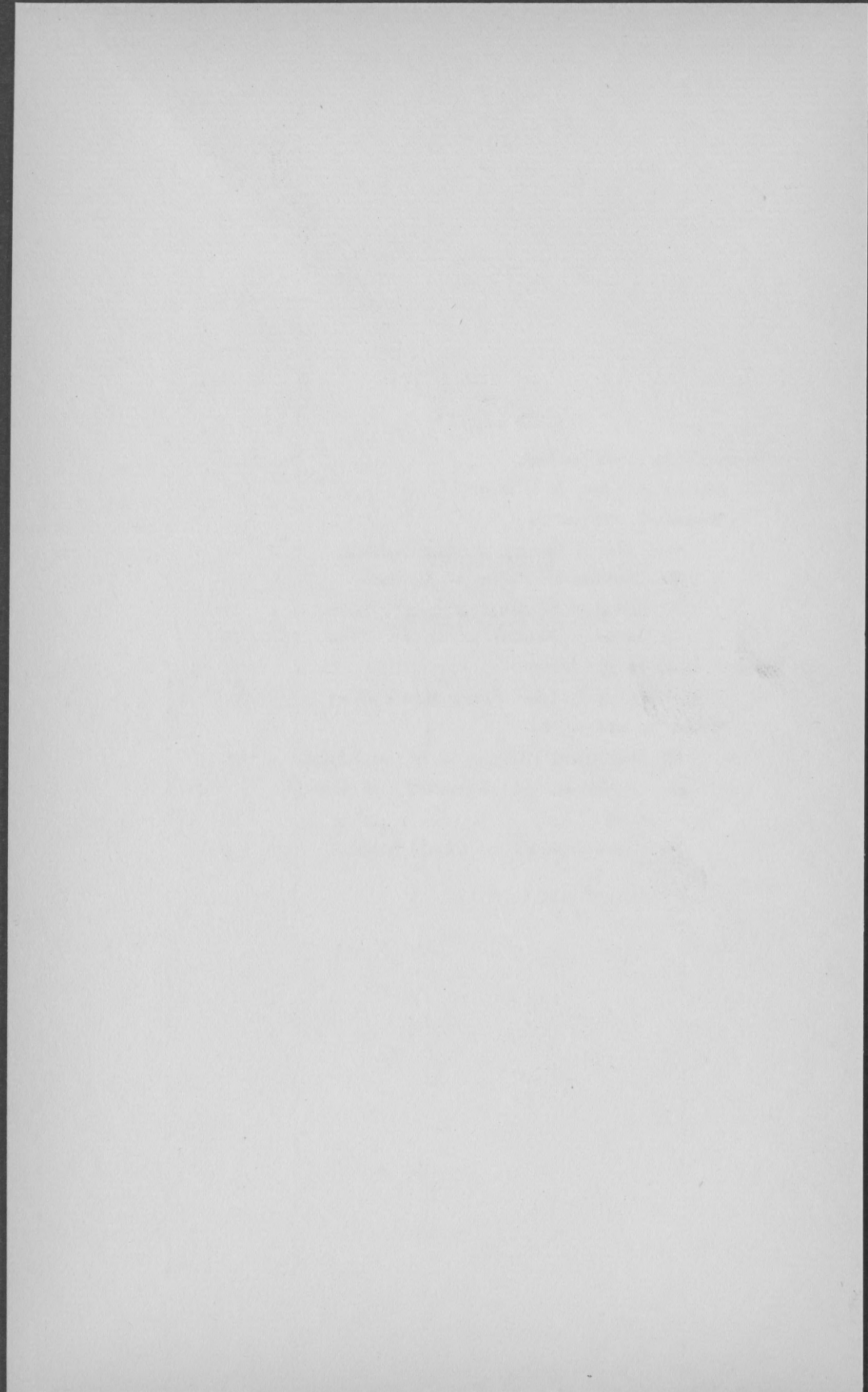
JAN 14 1926

DOCUMENTS DIVISION

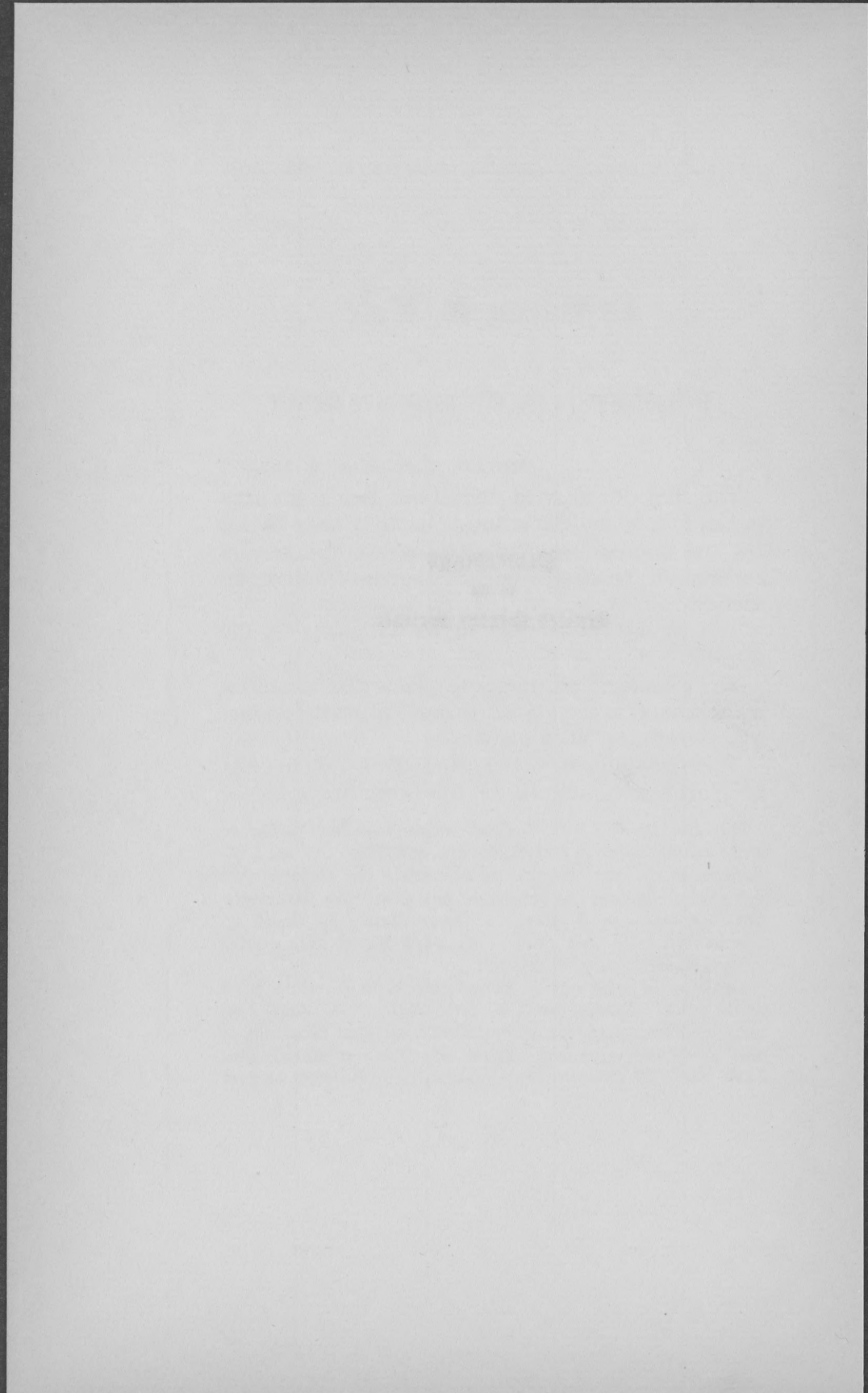


CONTENTS

| | |
|---|------|
| Proceedings in the Senate: | Page |
| Prayer by Rev. J. J. Muir | 1, 3 |
| Memorial address by— | |
| Mr. Peter G. Gerry, of Rhode Island | 5 |
| Mr. Thomas J. Walsh, of Montana | 10 |
| Mr. Thomas Sterling, of South Dakota | 13 |
| Mr. Jesse H. Metcalf, of Rhode Island | 20 |
| Proceedings in the House | 29 |
| Prayer by Rev. James Shera Montgomery | 31 |
| Memorial address by— | |
| Mr. Richard S. Aldrich, of Rhode Island | 33 |
| Mr. Jeremiah E. O'Connell, of Rhode Island | 38 |
| Mr. Clark Burdick, of Rhode Island | 41 |



Proceedings
in the
United States Senate



Le Baron B. Colt



Proceedings in the United States Senate

MONDAY, *December 1, 1924.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Sixty-eighth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The PRESIDENT pro tempore (Albert B. Cummins, a Senator from the State of Iowa) called the Senate to order at 12 o'clock noon.

The Chaplain, Rev. J. J. Muir, D. D., of the city of Washington, offered the following prayer:

Our Father and our God, we come together to-day to enter upon the duties of high responsibility. As we look back over the past month we recognize the sadness that has shadowed and the grief that has come and the loneliness experienced because of the presence of death in connection with this body. We pray for richest consolations upon those who mourn.

Grant unto each one in connection with his duty such sense of its dignity, such a conception of its large outlook, that there may be given to each wisdom from above and guidance in every matter of administration. The Lord our God be with the President, recognizing in him

MEMORIAL ADDRESSES

the authority by which he is surrounded. Let Thy blessing be constantly upon our Nation, and may it be exalted in righteousness. We humbly ask in the name of Jesus Christ our Lord. Amen.

Mr. GERRY. Mr. President, it is my sad duty to announce to the Senate the death of my late colleague Senator LEBARON B. COLT. This is not the proper time and occasion for a fitting testimonial to be offered to his memory. At a later date during this session I shall ask that a day be set aside upon which proper tributes may be paid to the life, character, and public services of Senator COLT. I now send to the desk a resolution, and ask unanimous consent for its immediate consideration.

The resolution (S. Res. 262) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. WALSH of Massachusetts. Mr. President, as a further mark of respect to the memory of our deceased colleague, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 21 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 2, 1924, at 12 o'clock meridian.

LEBARON B. COLT

TUESDAY, *December 2, 1924.*

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of the Hon. LEBARON BRADFORD COLT, late a Senator from the State of Rhode Island.

WEDNESDAY, *December 17, 1924.*

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent for the adoption of the order which I send to the desk.

The order was read, considered, and unanimously agreed to, as follows:

Ordered, That Monday, January 19, 1925, at 3 p. m., all pending business be set aside and the Senate proceed with memorial addresses on the life, character, and public services of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

MONDAY, *January 19, 1925.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, ever the same in Thy tenderness, in Thy loving sympathy and the constancy of Thy care. We come this morning recognizing Thy goodness to us. Thou art indeed a God that never fails in promises, though we, alas, too often forget the hand that is guiding our path. Hear us to-day, we beseech of Thee. Grant unto us the guidance of Thy grace and enable us to fulfill every obligation as in Thy sight and for Thy glory. We humbly ask in Jesus' name. Amen.

MEMORIAL ADDRESSES

The PRESIDENT pro tempore. Pursuant to an order heretofore entered, the Senate will now lay aside its pending business and proceed with memorial addresses upon the life, character, and services of LEBARON B. COLT, late a Senator from the State of Rhode Island.

Mr. GERRY. Mr. President, I offer the resolutions which I now send to the desk.

The PRESIDENT pro tempore. The resolutions will be read.

The principal legislative clerk read the resolutions (S. Res. 308), as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Address by Senator Gerry
Of Rhode Island

MR. PRESIDENT: My close personal acquaintance with Senator COLT began when I entered the Senate as his colleague, although his splendid record of achievement and public service to the State and Nation, extending over a great many years, was then well and most favorably known to me. For eight years I served with Senator COLT in this body, and during that time I got to appreciate his great intellect, fine character, and marked devotion to the public welfare. One could not work with him without appreciating the charm of his personality or the warmth of his friendship. Although we disagreed frequently on matters of legislation, our relations were the most harmonious. I found him always willing and eager to cooperate in any action which he considered for the best interest of his State and country. He examined questions from every angle and he had the faculty of understanding and appreciating the views of those who differed with him. Exceedingly frank in discussing matters, he would let me know exactly where he stood upon any question after he had given consideration to it.

Senator COLT received his early education at Williston Seminary, following which he entered Yale University and graduated from that institution. His legal education was received at Columbia University. He early took a lively interest in the

MEMORIAL ADDRESSES

affairs of state and displayed learning and eloquence in the discussion of public questions. His career in the public service really began when he was chosen to represent the town of Bristol in the general assembly in 1879. Before his term expired he was appointed district judge of the United States District Court for Rhode Island, and some few years thereafter he was promoted to the United States Circuit Court.

His judicial life extended over a period of 32 years, during which time he was called upon to render many decisions in very important cases. His knowledge of the law was extensive. He had a recognized fondness for it, and keen application therefore to the particular problem before him was an easy matter. He delighted to grapple with the most intricate problems and got profound pleasure in their solution. His ability to dissect and analyze the most complicated questions was noteworthy. His decisions were always clear and lucid and showed the grasp that he had of the fundamental principles of the law. His was a judicial mind. I distinctly recall what a vivid impression he made upon me the first time I saw him sitting on the bench, presiding justice in the circuit court of appeals. Like everyone did, I could not but notice his dignified bearing and the calm and impassioned manner in which he made his decisions—an ideal picture of a judge. He had and deserved the highest respect of the members of the bar. He treated them with impartiality and at all times exhibited courtesy and kindness.

LEBARON B. COLT

Coming to the United States Senate in 1913 when he was 67 years of age, he devoted himself to the duties of his office with a remarkable energy for a man of his years and physique. During his term here he exhibited a keen intellect, broad statesmanship, and humane impulses in the consideration of the legislative problems that were presented. His disposition and desire seemed to have been not to acquire some small fund of information about many problems, but to confine his activities and study to legal and constitutional questions for the most part. To these he devoted the same painstaking effort that characterized his work while he graced the judicial bench and rendered decisions that gave him the splendid reputation that he has as a jurist. This enabled him to carry great weight in the Senate on both sides of the Chamber on all legal questions.

During the latter part of his service as chairman of the Immigration Committee, he gave unstintingly of his time and study to the consideration of the very vexing immigration problem, and in his discussions and attitude he exhibited the kind and generous impulses by which his heart and mind were actuated. He could not be narrow in his views. In singing the praises of his native State, he pointed out with pride the part Rhode Island had taken in establishing the doctrine of religious freedom and how this principle had been written in the Federal and State Constitutions.

Senator COLT was, above all things else, fair-minded. Always a loyal Republican, he nevertheless at times exhibited upon important questions

MEMORIAL ADDRESSES

a frank independence. This was particularly so in matters that really transcended all political considerations. During the dark days of the World War his efforts were ever directed in seeing that the Democratic Chief Executive had all the powers he asked to prosecute the war. His support was whole-hearted and unreserved. He did nothing to impair the force or lessen the influence of the President during these trying days, and he did everything he could to assist. All that time he was controlled by no party considerations. His course of conduct was guided simply by his devotion to his country and her institutions. Every act and vote of his was predicated on patriotism.

As a Member of this body, he was not inclined to take up much of the time of the Senate. He spoke but infrequently and then only when the most important questions were under consideration. On these occasions his speeches were clear, forceful, and logical. With facility he presented his views as succinctly and concisely as the subject permitted. His utterances were delivered in a manner which indicated how strongly the speaker was convinced of the arguments he was advancing.

It has been truly said of Senator COLT that he was a statesman of the old school. He was most courteous at all times, even when bitter controversies existed. Dignified in manner and bearing, he nevertheless had a keen sense of humor and was most genial in his demeanor. A genuine kindness he exhibited to all, and those who came in close contact with him will ever give cordial testimony of the warmth of his friendship. Kind and

generous by nature, he never allowed partisanship or political controversies to mar his regard for and his amicable relations with those of a political faith contrary to that which he himself maintained. His motto seemed to be to never let politics interfere with his friendships. He had a winning personality and during the years that I knew and daily associated with him, I grew to have an affectionate regard for him.

When Senator COLT in the ripeness of old age, still in harness after nearly half a century in the public service, was called to his Maker, this body lost a very serviceable Member, the Nation and State which he represented a loyal and devoted servant, and I a close personal friend. He leaves as a monument a magnificent record of achievement. His devotion to his State and country, his patriotism and loyalty to her institutions called upon him for his best, and this was given ungrudgingly and without ostentation. The satisfaction of performing this work well was his reward and his pleasure. He asked nothing more.

We do well to pay high tribute to the memory of this statesman. Deep gratification there must be to his family and friends that he deservedly achieved such a high place and made such a remarkable record in the public service to which his life and attainments had been so unsparingly devoted from young manhood. It can but be a solace to them always. His memory will enkindle in others a patriotic devotion to country, and his service will ever be cherished by our citizens, who always find satisfaction in the fidelity shown by public servants.

MEMORIAL ADDRESSES

Address by Senator Walsh *Of Montana*

MR. PRESIDENT: The late Senator COLT and I became Members of this body simultaneously on the 4th of March, 1913. We were both appointed at once members of the Committee on the Judiciary, and continued as such until his departure from us through death. I enjoyed accordingly for nearly 12 years not only the association with him incident to service on the floor but, as well, the more intimate relationship springing naturally from a common novitiate and long participation in the work of one of the more important committees of the Senate in which we were both deeply interested.

He began his career among us with the prestige justly his due from long and honorable service on the bench, enjoying a well-earned reputation for courtesy as well as probity and erudition. It is not difficult for those who knew him well to understand how he held the affection as well as the esteem of the bar of his court. For well nigh a third of a century he presided over the Federal courts of his State, or discharged the onerous duties of United States circuit judge of a circuit, within which a phenomenal industrial development bred constantly not only a multiplicity of controversies but many presenting the most intricate and complex questions of law and fact, for

LEBARON B. COLT

the resolution of which the tribunal in which he sat was resorted to. His experience thus gained and the studies he was required to prosecute in the discharge of his judicial duties proved of inestimable value in the work that devolved upon the committee on which we jointly served. His views on any questions legal in their nature were always held in profound respect by the Senate, but a pronounced modesty often restrained him from giving expression to them on the floor unless upon the solicitation of some Member in debate. He was but 35 years of age when, upon a meager salary, he entered the service of his country to continue therein uninterruptedly for nearly 44 years until his death. Thus he quit the practice of his profession at an age when the richest material rewards awaited him to devote his life to the cause of justice, in which he persevered until the people of his State called him, at the age of 67, to the wider field of activity afforded by membership in this body.

Coming from a family in comfortable circumstances he enjoyed in his youth the advantage of the best training, graduating from Yale and the Columbia College Law School. His talents were recognized by various higher institutions of learning which conferred upon him honorary degrees. He was a cultured gentleman, affable as he was kind. Had he devoted himself as his vigorous mind developed and his marked abilities matured to money getting he might have surrounded himself with luxury and gratified his every taste and inclination.

MEMORIAL ADDRESSES

It is a happy omen for the future of the Republic that there are never wanting among its citizens men fully equal to the tasks with which it is charged who, at its call, are willing to assume them. If, in the complexity of motives that ordinarily influence human action, there be some dross in those which impel men of talent into the service, in public or official position, of their fellow men rather than to the pursuit of their own individual interests, they have earned the gratitude of the people for their good works none the less on that account. Perhaps ambition, "that last infirmity of noble minds," was implanted in the human heart by an all-wise Creator that men might, at inconvenience and loss to themselves, devote their talents and their energies to the public good.

Senator COLT's career in this body bears the impress of his highly trained judicial mind. His speeches, remarkable for the clarity of his thought and the vigor of his language, have a striking resemblance to opinions delivered from the bench. They left a deep impression in the case of all contentious questions upon which he spoke from the belief that through habit he had carefully weighed every consideration that could be advanced, either for or against the conclusion at which he had arrived. He measured up to the full height of the ideal United States Senator and left a record that redounds to the honor of the State that commissioned him as such.

LEBARON B. COLT

Address by Senator Sterling
Of South Dakota

MR. PRESIDENT: In seeking to give expression to my thought on this occasion I am conscious of emotions that may appear to be in conflict one with the other, for, first, I share with my colleagues in that deep feeling of sorrow and regret that the Senate of the United States and the country as well have been deprived of the services of a man so able, so conscientious in the performance of every public duty, and withal so companionable as was the late Senator from the State of Rhode Island. But I am sensible also of satisfaction—not to say pride—in the opportunity here presented to make mention of a few of his many excellent qualities of head and heart and to pay my feeble tribute to his memory.

I came to know Senator COLT very well indeed. We entered the Senate at the same time—March 4, 1913. During the greater part of his period of service it was my good fortune to have a place with him on three of the standing committees of the Senate. In the order of our assignment these were the Committees on Civil Service, Immigration, and the Judiciary.

Through means like these, as well as by what I knew of his participation in the proceedings on the floor of the Senate, I learned to know and appreciate many of his beliefs concerning our

MEMORIAL ADDRESSES

national policies, both domestic and foreign, and to admire always his clear, scholarly, and yet forceful style in giving expression to those beliefs. While a staunch Republican, he was not a partisan. Broadly speaking, he was a liberal in everything that pertained to our national or to human welfare; a man of broad human sympathies. As between the contending forces of radicalism on the one hand and conservatism on the other, Senator COLT was able to see that, more often than otherwise, true progress lay in following the golden mean.

His interest in all classes and conditions of mankind, together with his experience, well fitted him for service on both the Civil Service and Immigration Committees. In the one he was led to consider the needs, the compensation, the standard of living of several hundred thousand Government civilian employees, and to assist in framing and advocating legislation for better conditions in the civil service, and through these promoting in marked degree the general welfare. In the other he was led to consider the immigration problem from the several viewpoints of economics, of social and political standards, and racial characteristics. While he did not share the belief that the United States would as a result of the war be flooded with peoples alien to us in habits, customs, and ideals, and that American institutions would be thereby imperiled, nor subscribe to the doctrine of suspension of all immigration for any period of time, he realized that the time had come for a marked

change in our immigration policy. It was under his chairmanship of the Immigration Committee that the first quota law of 1921 was enacted, and this became the basis for our subsequent restrictive legislation. In matters relating to immigration he was eminently fair-minded, sensitive as to the claims and ideals of the peoples of other nations, and would have avoided, if possible, the adoption of any policy likely to give offense or which would embarrass our future dealings or impair in any way our influence for good with the people of any other nationality.

His services on both these committees were of a very high order, and those on the Immigration Committee especially were rendered at an important if not a crucial time in the history of our foreign relations.

But, efficient as he was in the services mentioned, the work of the Judiciary Committee made stronger appeal to him than that of any other on which he was called to serve. His bent of mind, education, training, and experience had all conjoined to fit him most admirably for a service of this kind. Having first graduated from Yale and then from Columbia College Law School, he added to these the culture gained from a year of travel in Europe. Thereafter he was engaged in the practice of the law, first for a time at Chicago and later at Bristol, R. I. In 1881 he was appointed United States district judge for the district of Rhode Island, and in 1884 to the position of United States circuit judge for the first judicial circuit. The United States

MEMORIAL ADDRESSES

circuit court of appeals having been formed in 1891, Circuit Judge COLT was made presiding judge of that court for the first circuit, a position held by him until his election by the Legislature of Rhode Island to the United States Senate in January, 1913. This made a continuous service of 32 years on the Federal court bench, during 29 of which he was United States circuit judge and during 22 of the 29 was a judge of the United States circuit court of appeals. With such a career it was singularly appropriate that as a United States Senator he should be assigned to membership on the Judiciary Committee. To that committee he brought deep and practical insight, together with a wealth of legal and judicial learning, which at once inspired confidence and gave him great prominence in the deliberations of the committee.

Senator COLT was an ardent supporter of the American cause in the World War. On April 4, 1917, Senator COLT said:

To my mind there are three courses open in this crisis—submission, armed neutrality, or war. Submission can not be thought of for a moment when we reflect upon the honor and dignity of the United States. Armed neutrality has been tried and proved a failure. Armed neutrality, or defensive warfare, is not adapted to the submarine. We can not have a condition of armed neutrality and defend ourselves against this monster of the sea which lies in ambush. There is therefore no alternative left but war.

He believed our participation in the war necessary not alone in the protection of our own rights but for the sake of liberty and humanity throughout the world. He had much to do with framing

the legislation on which our entrance into the war, as well as our success afterwards, was made to depend.

The war ended, he would have had the United States a member of the League of Nations with the reservations adopted by majority votes in the Senate which, in his then opinion, would have safeguarded all our American interests and sovereign rights.

As I review his career and think of his splendid faculties, as I from time to time saw them applied, I am impressed with the thought that Senator Colt combined in rare degree the qualities of both jurist and statesman. To his service in the Senate he brought the high talent required for both these fields. In the domain of constitutional law he was a recognized authority.

He was liberal in his interpretations. The question of appropriating \$20,000,000 for Russian relief was before the Senate. The want of power was suggested; the general-welfare clause was involved. During the debate the Senator said, among other things:

It is very fortunate that the Constitution uses these abstract terms, because they are elastic, and as the country moves and as the world moves these abstract phrases must be interpreted in the light of fundamental conditions of society, for if the Constitution is not elastic enough to supply the great fundamental wants of society, the Constitution will break or we will have a revolution.

In interpreting his own language, he said:

I do not mean that as an extreme statement. I mean that the framers of the Constitution used general phrases

MEMORIAL ADDRESSES

and abstract expressions for the purpose that the statutes we passed might conform to the march of the United States and its people in their upward movement to a higher civilization.

In this, as in like views often expressed, he reflected the spirit of Tennyson's lines:

Not he that breaks the dams, but he
That thro' the channels of the State
Convoys the people's wish, is great;
His name is pure, his fame is free.

As affording an example of his style in speaking, as well as the patriotic, humane, and lofty spirit which was his, I quote from his speech made in the Senate March 23, 1922. The four-power treaty was under discussion:

Mr. President, the Washington conference was conceived in the loftiest patriotism by the Nation's head and our delegation represented the highest and best in American life. Their work involved no surrender of American independence or American ideals and no commitment to war in our international relations. And it may be said that if the spirit which prevailed in that conference spreads to all nations it will do much to assure the future peace of the world.

The Washington conference has adjourned, but its work will live. * * * That conference is America's contribution toward the solution of the gravest problem which confronts the human race—the avoidance of war. It may not solve this problem, but it is certainly a forward step toward its solution. Oh, it is easy to tear down with ruthless criticism any creative work. The Federal Constitution was subjected to this ordeal, but it still lives. * * *

Realizing the awful destruction of life and property and the economic ruin wrought by the Great War and the longing of the nations for an enduring peace, may we not confidently believe that the Senate of the United States,

LEBARON B. COLT

acting in the same spirit in which the conference was conceived and which marked its deliberations, will approve and ratify all its work as an important step in advancing the peace of the world?

With his passing there ended a long life of distinguished usefulness to his country and his fellow men. According to a certain standard only was he an old man at 78. He was here with us during the scenes of the last session, even through the last busy day, June 7, 1924. It seems as though it were but yesterday. While he was never robust physically, his intellect had all the vigor and freshness of a strong man in his prime.

Though old, he still retained
His manly sense
And energy of mind.

Knowing him as I did, it is hard for me to speak of Senator COLT other than in words of endearment and which will express my sense of personal loss; but, this aside, I know that I am now sharing with all my colleagues and those who at any time served with him here the fond recollection of his unfailing courtesy, his fine attainments, his exalted character, and the truth of principles for which he stood. The example and inspiration which these afford is left to his colleagues and to his fellow citizens, a priceless heritage.

MEMORIAL ADDRESSES

Address by Senator Metcalf Of Rhode Island

Mr. PRESIDENT: This memorial ceremony to-day shows veneration for the memory of the man to whom we are paying respect at this hour, which may be expressed in the sentiment, "To live in the hearts of those we leave behind is not to die." It demonstrates that death is not the end of a useful career and that patriotic public service is cherished beyond death.

It is fitting that we should pause, even in the crowded hours of legislative labors, to pay tribute to and manifest our respect for the late Senator LEBARON BRADFORD COLT, who died in the service as the representative of the State of Rhode Island in the Senate of the United States.

That service, from March 4, 1913, to August 18, 1924, covered fateful years, not only in the history of the United States, but also in world history. It included the period of the World War, which witnessed the mobilization of 4,272,000 American soldiers and took a toll of precious lives of 68,000 American boys and billions of wealth. Too much emphasis can not be placed upon the statesmanlike legislative program that made possible the successful participation of the United States in the eventful era of international cooperation and national glory, and to no one more than to the late Senator COLT is due the credit for wise

LEBARON B. COLT

and vital legislation that supported American arms on the battle front of the world.

In the years of reconstruction following the war Senator COLT gave his splendid ability to support the legislative program that has stabilized conditions in the United States and wrought a miracle of recovery, making possible the present prosperity of the Nation.

Born in Dedham, Mass., June 25, 1846, Senator COLT was often referred to as one of the elder statesmen, a patriarch in the political life of our country. We pay tribute to youth and the achievements of young men with their imagination and daring, but too often we forget to reflect upon the enduring contribution to civilization made by the wisdom of age and the matured powers of the older manhood of our country. Many of the ablest men who have served the Nation in this body have rendered conspicuous service after their threescore years and ten.

Senator COLT, whom we honor to-day, lived a long and useful life and died in the maturity of his powers and fame, surrounded by the proud and affectionate solicitude of his constituency. There is left to the people of Rhode Island the memory of her great son who gave his life in her service.

In preparation for his life work, he graduated from Yale in 1868, and completed a course in law at the Columbia College Law School. He practiced law in Chicago, and became a member of the Rhode Island bar in 1875. His great ability was

MEMORIAL ADDRESSES

recognized and he was appointed United States district judge for Rhode Island by President Garfield in March, 1881, and in July, 1884, was commissioned by President Arthur a United States circuit judge for the first judicial circuit. Thus LEBARON BRADFORD COLT entered upon a brilliant judicial career that was to continue 32 years, to be crowned with 11 years in this great legislative body, so giving 43 years to continuous official life as Federal judge and United States Senator.

His faith in America and her contribution to mankind of the principles of self-government was expressed in a profound address delivered by him 19 years ago. He said:

I have faith in the perpetuity of American institutions; but if in the providence of God it shall ever be our destiny to share the fate of other nations; if it shall ever be found that this Government by the people is mortal; if it shall ever come to pass in the far-off time that some Gibbon shall write the history of the decline and fall of the American Republic—our greatness and our glory will still survive, since we have accomplished a work more sublime than the intellectual beauty of classic Greece, more enduring than the civil law of imperial Rome, and grander than all the triumphs of civilization in the modern world, for we have given to humanity and the coming ages the immortal principle that man, made in the image of his Creator, is capable of self-government.

As a Federal judge he was distinguished for his profound legal knowledge, the fairness and justice of his decisions, and his uniform courtesy. Some one has said that "to be a good judge one must be a gentleman." And he was a good judge. He interpreted the truth of the law and dispensed

LEBARON B. COLT

justice, but his great soul responded to the ideals of mercy. There is an old legend to the effect that when God, in His eternal council, conceived the thought of man's creation, He called to His assistance the three ministers who constantly wait upon the Throne—Truth, Justice, and Mercy—and thus addressed them:

"Shall we make man?" Then answered Truth, "O, God, make him not, for he will pollute the sanctuary." Then answered Justice, "O, God, make him not, for he will trample upon the laws." But Mercy, falling upon her knees, exclaimed, "O, God, make him, and I will watch over him through all the dark paths he may have to tread." Then God made him and said to him, "O, man, thou art the child of Mercy, go and deal with thy fellows."

LEBARON BRADFORD COLT had the happy faculty of winning friends during his judicial and legislative career. As a Senator his outstanding characteristics were his consideration of his colleagues, his fairness, and his broadmindedness. Many of his associates have spoken of the high regard they held for him on account of these qualities; and what an inspiring thing it is to hear their appreciation of this man who has met all these tests as a colleague and friend. When he took part in a debate his remarks were clarifying; he treated all subjects with generous acumen, and had a strong distaste for legislation that was illogical; as, for example, he criticized the Panama Canal toll bill as an attempt to settle a judicial question by statute. He gave his great powers in the Senate to the solution of important judicial problems, many of them intricate and requiring close and

MEMORIAL ADDRESSES

prolonged application, and he sustained to the end of his life the judicial point of view.

Senator COLT had no patience with those who sought to lessen the authority of the courts. The assaults made in the past few years upon the Supreme Court were despised by him, as he endeavored to engender respect for the Federal Constitution. As chairman of the Senate Committee on Immigration, he has directed a legislative program of great intricacy and difficulty, and he has been a genuine factor in the handling and the solution of delicate immigration problems. He was one of the few Senators who protested and voted against the discourteous treatment of Japan in the present immigration law. With his knowledge of law and the science of government he attained a prominent place among the Senate's highest authorities on constitutional and international law.

At times he was formal and eloquent; at other times he confined himself to a concise presentation of the facts in hand; but he always displayed a mastery of his subject. He expended his energies in the hard work and drudgery of the committees on which he served, and was as industrious as his most youthful colleagues. His eloquence and service will not be forgotten. His high character was recognized by all the Members, and his name carries with it an honorable significance throughout the Republic.

LEBARON BRADFORD COLT faithfully served his State and Nation. His rise was by dint of merit.

LEBARON B. COLT

As scholar, lawyer, State legislator, Federal judge, and Senator, his record bespeaks the character and ability of the man. The recital of his virtues gives inspiration to others to "carry on" in a life of unselfish loyal service. One by one great men who have guided our Nation pass into the great beyond, and we are prone to say that the stars by which we have been guided have sunk beneath the horizon. Let us rather say that they have become fixed stars, whose deathless light shall never fail us in the days to come.

Mr. President, I ask for the adoption of the resolutions submitted by my colleague.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolutions submitted by the senior Senator from Rhode Island [Mr. GERRY].

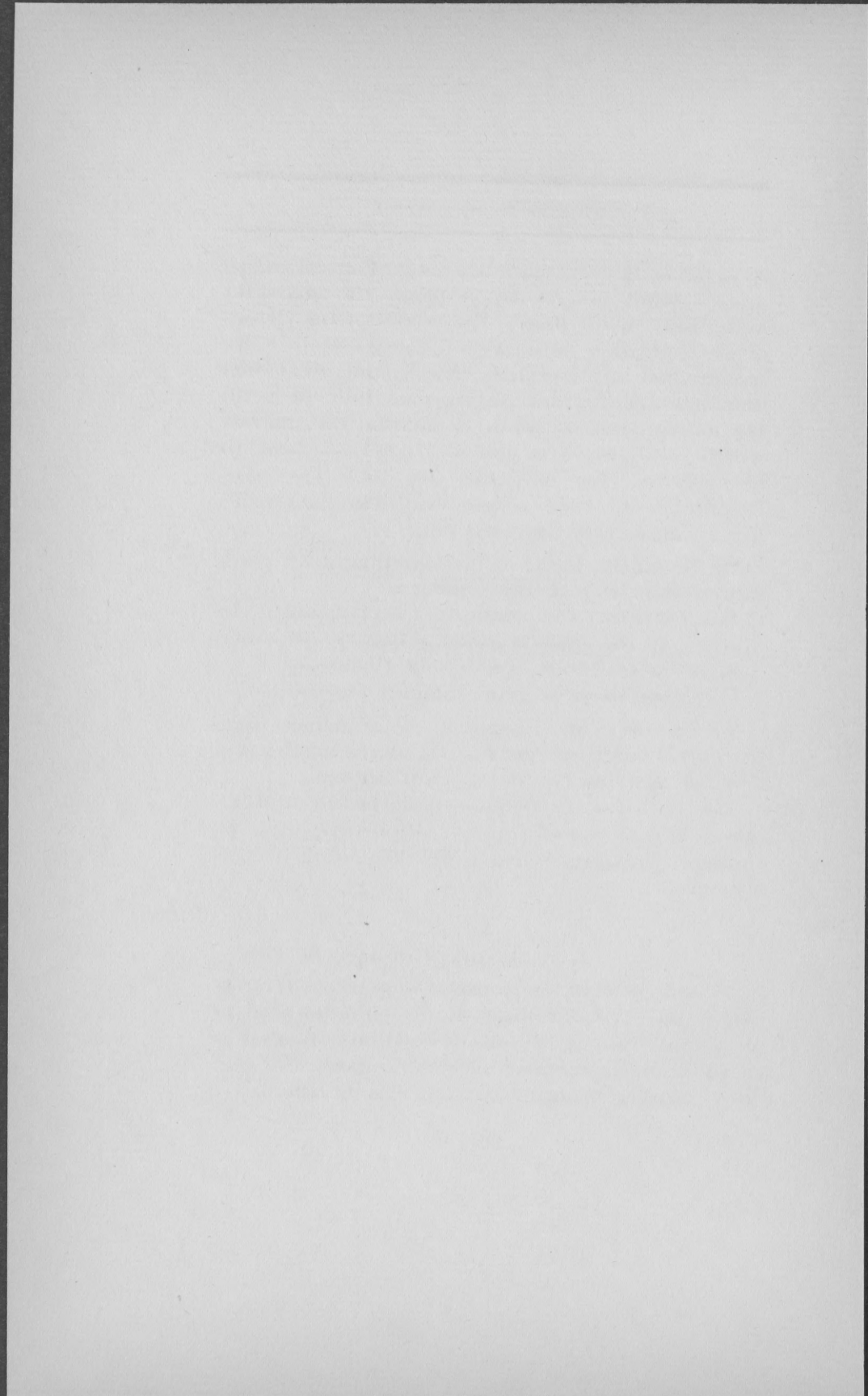
The resolutions were unanimously agreed to.

Mr. METCALF. Mr. President, as a further mark of respect to the memory of the deceased Senator I move that the Senate do now adjourn.

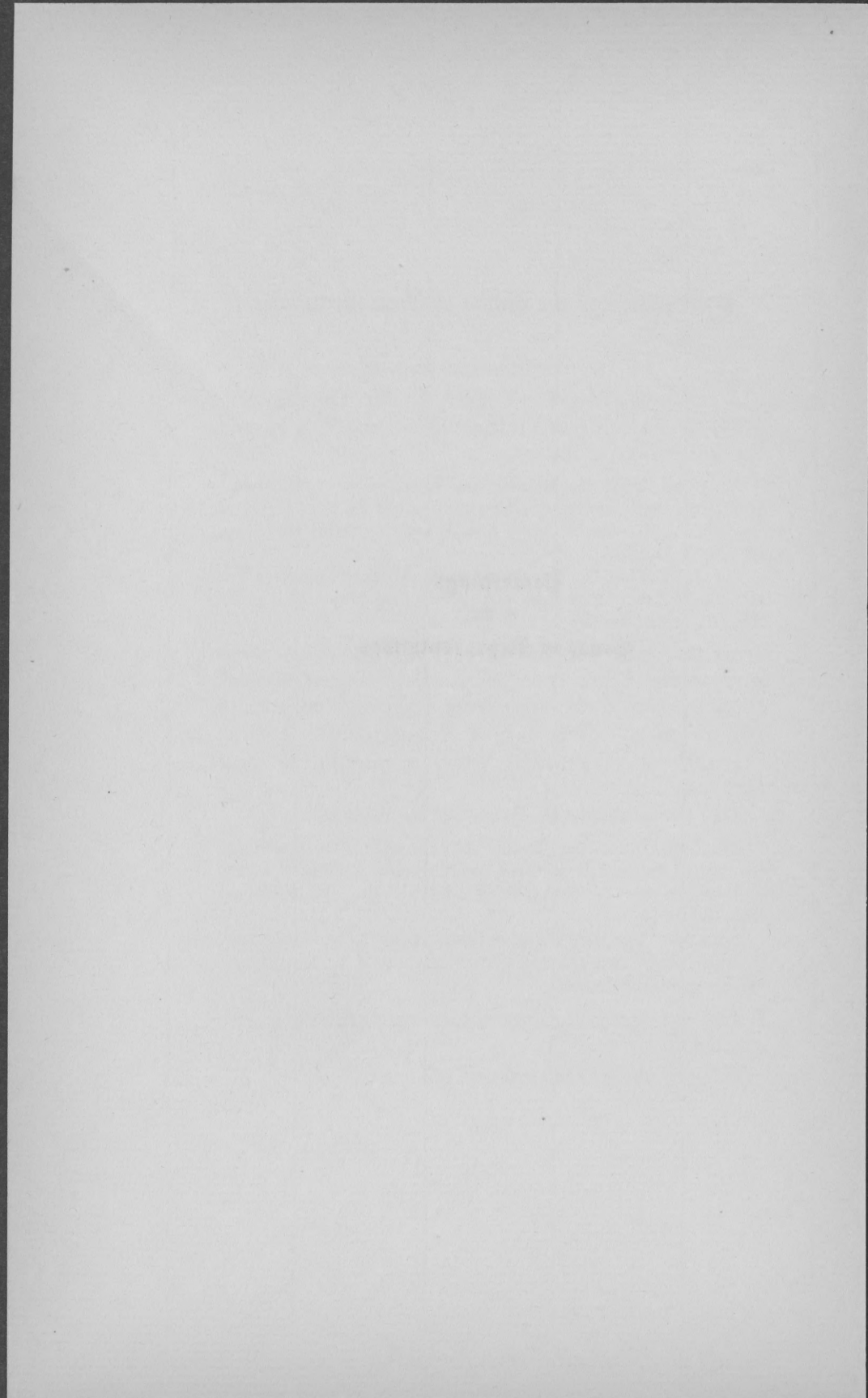
The motion was unanimously agreed to; and the Senate (at 7 o'clock p. m.) adjourned until tomorrow, Tuesday, January 20, 1925, at 12 o'clock meridian.

MONDAY, *February 16, 1925.*

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.



Proceedings
in the
House of Representatives



Proceedings in the House of Representatives

MONDAY, December 1, 1924.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. ALDRICH. Mr. Speaker, it is with a very deep sorrow that I announce the death of Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island, on the 18th day of August, 1924. I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read (H. Res. 362) as follows:

Resolved, That the House has heard with profound sorrow of the death of the Hon. LEBARON BRADFORD COLT, late a Senator of the United States from the State of Rhode Island.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MEMORIAL ADDRESSES

Mr. LONGWORTH. Mr. Speaker, as a further mark of respect to the memory of the deceased, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 2, 1924, at 12 o'clock noon.

TUESDAY, *January 20, 1925.*

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. ALDRICH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Ordered, That Sunday, February 15, at 2 p. m., be set apart for addresses on the life, character, and public services of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

The question was taken, and the motion was agreed to.

LEBARON B. COLT

SUNDAY, February 15, 1925.

The House met at 2 o'clock p. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our heavenly Father, Thou has been our dwelling place in all generations, therefore we would close the outer doors of our beings and rest in the quiet of the inner chamber for a moment. By this silent effort we would renew our vows, declare our Christian faith, and ask Thee to direct the issues of our lives. Give us the trust that lifts skyward and sees beyond the sky line. We thank Thee that there is nothing in life, nothing in death, and nothing beyond the grave that is able to separate us from the Father and His love.

Bless unto us the memories of those who have left us, and may the service that they rendered to our country abide while time passes by. Do Thou give unto us the faith and the courage to break through earth's cares, earth's burdens, and earth's sorrows, and wait patiently, work industriously, and rest sweetly until the dawning of the perfect day. Amen.

The SPEAKER. The Clerk will read the special order for to-day.

The Clerk read as follows:

On motion of Mr. Aldrich, by unanimous consent—

Ordered, That Sunday, February 15, 1925, be set apart for memorial addresses on the life, character, and public services of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Mr. TREADWAY. Mr. Speaker, I offer the following resolution which I send to the desk and ask to have read.

MEMORIAL ADDRESSES

The Clerk read (H. Res. 442) as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the Hon. LEBARON B. COLT, late a Senator from the State of Rhode Island.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House at the conclusion of these exercises shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send copies of these resolutions to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. Burdick assumed the chair as Speaker pro tempore.

LEBARON B. COLT

Address by Representative Aldrich
Of Rhode Island

Mr. SPEAKER: This hour has been set aside that we may pay tribute to the memory and public service of one of Rhode Island's most distinguished statesmen and jurists. For the last 45 years of his life the late Senator LEBARON B. COLT devoted himself to the service of our Nation. After receiving an academic and legal education at Yale University and the Columbia Law School he practiced at his profession for a few years, and in 1879 was elected a member of the Rhode Island Legislature as a representative from the town of Bristol, and in 1881 while serving his second term in that body he was appointed United States district judge for the district of Rhode Island by President Garfield. Thus at the early age of 35 his eminent legal talent and his judicial mind and temperament were recognized by the then President of the United States. In 1884 while still a very young man to occupy such an important position he was elevated by President Arthur to the position of United States circuit judge for the first judicial circuit and in later years he became presiding judge of the United States circuit court of appeals in that circuit, an office he held until the time of his election to the United States Senate in 1913. He was reelected to the Senate in 1918 and served there with great distinction until the time of his death last August.

MEMORIAL ADDRESSES

Thus for almost half a century he occupied positions of public trust, and whether on the bench or in our legislative halls his service was of the kind which can only be rendered by those who are inspired by a deep love of country and of their fellow men. His intellect and ability were recognized by all, and he had the confidence of the people whom he served.

Endowed with a keen mind he became a profound student of the law. His early education and training were thorough, and this, combined with his natural abilities and tireless energy, brought him to a position of leadership at the bar soon after he entered the practice of law, and his appointment to the bench was a natural consequence of his conscientious efforts and preparation. Although Senator COLT was essentially a scholarly type of man and a thorough student he never lost his interest in humanity. His charming manners and affability were apparent to even his most casual acquaintances, and his interest in the welfare of his fellow human beings, particularly in those in less fortunate circumstances, was one of his most outstanding characteristics.

I believe it was this philanthropic spirit combined with an intense interest in our Government and Constitution that impelled him to accept a position on the Federal bench instead of continuing in what was sure to be a remarkably brilliant and more lucrative career at the bar. These characteristics made it inevitable that he should eventually enter upon a public career for his life work.

LEBARON B. COLT

Senator COLT's early education and his subsequent experience on the bench naturally brought him into close contact with the works of John Marshall, and there can be little doubt that the life and writings of the distinguished Chief Justice of the Supreme Court made a deep impression upon the late Senator and had considerable influence upon his character and thought throughout his whole life. The two men had many characteristics in common. Both started their lives as distinguished young lawyers, both were strong defenders of the Constitution, both were intensely interested in the development of our country and had profound faith in the ultimate strength and stability of our form of government and, in addition to all this, they both had a rare quality of personal charm and magnetism and a never-failing interest in humanity.

During the long period he was a judge of our Federal courts Judge COLT heard cases on almost every conceivable question of law. At that time many new legal problems relating to business were arising, owing to the rapid industrial growth of the country. Judge COLT in his opinions, especially upon bankruptcy, corporation, and patent law, contributed much of a constructive nature to the development of these branches of the law. The decisions he rendered on all subjects were always clear, enlightening, and just.

Coming to the United States Senate after a long and eminent career as a judge, it was only natural that Senator COLT should be placed upon the Judiciary Committee of the Senate; and according

MEMORIAL ADDRESSES

to the testimony of his colleagues who served with him on this committee he was looked upon as one of the great authorities on matters of constitutional law which were brought before that committee. The work on this committee gave him an opportunity to employ to the best advantage his carefully trained legal mind and his valuable experience as a jurist.

During his last years in the Senate Senator COLT served on the Immigration Committee. Probably no man in Congress has ever given more attention and study to this question. His views upon the immigration problems were extremely humane and his sympathy for and interest in the unfortunate immigrant were responsible for many of the best features in our immigration laws. Senator COLT with his great admiration for our form of government felt that free opportunity should be given to the nationals of other countries to enjoy its privileges, and for that reason he did not approve of the severe restrictions on immigration which the majority of his colleagues advocated.

Senator COLT did not address the Senate frequently, but when he did take the floor he was both eloquent and masterful, and during the more important debates on the momentous questions arising during the period of the World War his speeches were among the most able delivered in the Senate and displayed his broad knowledge of the matters under discussion and his great oratorical powers.

During the time he was on the bench Senator COLT attained wide distinction as an orator, and

LEBARON B. COLT

he was called upon to make speeches on many notable occasions, but in spite of this fact he talked in the Senate only when the question was one of vital importance and when he had something to add to the debate.

My personal association with the Senator, while brief, was one that I shall always remember. Coming to Congress as a new Member from Rhode Island, I naturally looked to him for advice on many subjects, and never did he fail to give me the benefit of his long experience and great wisdom frankly, generously, and graciously. During our conversations I was never conscious of the difference in our ages, in spite of the fact that he was appointed to the circuit court the year I was born. He liked to associate with younger people, and by so doing he retained the young man's point of view. To me his death meant not only the loss of a wise counselor but of a dear friend.

The long and very distinguished career of Senator COLT in public life was the result of his patriotic conscientious endeavors and his personal qualifications. To be an effective public servant one must have the respect and affection of the people he serves. Senator COLT had both. His dignity in manner and appearance, combined with extreme simplicity and courtesy, made him the possessor of great personal attraction. His honesty and frankness won the confidence of all. His vast store of information, his brilliant mind, and great wisdom eminently qualified him for the many positions he held, and his courage, sense of justice, and love of our country placed him among our greatest statesmen.

MEMORIAL ADDRESSES

Address by Representative O'Connell
Of Rhode Island

Mr. SPEAKER: It is my sad but proud privilege to-day, in this historic Chamber, to say a few words in loving tribute and in homage to the memory of one of the most distinguished statesmen ever sent by the sovereign State of Rhode Island to represent it in the Nation's Capital. In the death of the late United States Senator, LEBARON BRADFORD COLT, Rhode Island lost her most notable citizen and the Nation a wise jurist and able legislator.

Born in Dedham, Mass., June 25, 1846, he secured his early education in Williston Seminary, attended and received degrees from the Universities of Yale and Columbia, and for a short time practiced law in the city of Chicago. He entered the practice of his profession in Rhode Island in 1875, and was elected as a member of the State Legislature in 1879, from which he retired in 1881 to accept an appointment from President Garfield as a Federal judge, and from that time until his death, during his second term as United States Senator, all his great energy, talents, and marvelous intellect were devoted to upholding, maintaining, and preserving our beloved institutions.

For more than 32 years he dignified and adorned the Federal bench, serving successively as a member of the district court, circuit court, and circuit

LEBARON B. COLT

court of appeals, distinguished for his great learning, strength of character, and perfect judicial temperament. His decisions and his judicial opinions were marvels of logic, of clarity, and of legal worth. No judge of any court ever earned or retained greater respect from those who had occasion to practice before his court than did Judge COLT. Justice and truth were the ends he always sought, and although he was a man of unusually sympathetic mind, neither prejudice nor undue sympathy ever clouded his vision or influenced or obscured his judgment. He was my ideal of the perfect judge, splendidly equipped by education and temperament, to be the arbiter of legal disputes.

By nature he was a gentleman of the old school—courtly, kindly, considerate, and eminently just. Rancor and bitterness of thought, prejudice and partisan considerations were wholly foreign to his mind. Nor have I ever known him to utter a single unkind word in either general or particular terms. His kindly nature would not permit him to offend even the most sensitive of minds.

Truly was he, in every sense of the word, a most scholarly and learned jurist, a patriotic American, and a statesman of outstanding talents. And the citizens of my beloved State of Rhode Island, regardless of party, held him in high esteem, looked upon him with intense pride, for they felt and knew that in him the welfare of the State and Nation was intrusted to safe and competent hands.

To him as jurist and as a Member of the United States Senate, I always looked with a feeling of

MEMORIAL ADDRESSES

respect amounting to a real affection. In all my dealings with him he evidenced a real and genuine interest and sympathy that attracted me to him as to a magnet. A deep sense of personal sorrow fills me as I speak of him to-day.

As a Member of the United States Senate he was recognized early as a man of exceptional legal and mental attainments, and served with conspicuous ability as a member of the Committees on Civil Service, Judiciary, and Immigration, being chairman of the latter. In this capacity he evidenced a breadth of view and liberality of mind that characterized his whole life. Perhaps his early acquaintance and intimate association with the many fine and patriotic citizens of foreign extraction, who form such a large part of the population of Rhode Island, influenced his views to some extent, for I can bear ready and abundant testimony to the effect that nowhere in this broad land can there be found better and more patriotic citizens, more devoted to America and its institutions and traditions, than in the little State of Rhode Island, the first of the thirteen original Colonies to declare its independence from a foreign and despotic rule.

Though Senator COLT has passed from the strife and turmoil of this earthly sphere, he has left behind, to the State and Nation which he loved so well, a priceless heritage, the memory of a life of usefulness and of service, unsullied by any taint of selfishness or unworthy motives. He has justly and assuredly earned that reward, which the nobility of his life has made secure.

Mr. Aldrich assumed the chair as Speaker pro tempore.

LEBARON B. COLT

Address by Representative Burdick
Of Rhode Island

MR. SPEAKER AND MEMBERS OF THE HOUSE: LEBARON BRADFORD COLT was born in 1846 and died in 1924. Admitted to the bar in 1875, his ability was early recognized and soon he became one of those outstanding figures whom our State delights to remember and revere.

Six years later he was called to preside over the United States District Court of Rhode Island, and three years later was promoted to the circuit court of our district.

His service of 32 years on the bench is best remembered by the general comment of the bar, that, irrespective of the outcome, his finding was a just one.

To-day, as we meet to pay honor to one who served his Nation and his State as Senator during that trying period of the world's greatest conflict, my mind goes back to the day when LEBARON BRADFORD COLT was laid to rest.

At his home in Bristol, that quaint old town on the shores of Narragansett Bay, there gathered representatives of the States and Nation, relatives, friends, and neighbors, to pay tribute to a man beloved by all.

But more significant than the representative group assembled within that stately mansion were the hundreds of men, women, and children, filling

MEMORIAL ADDRESSES

the entire street, who, in solemn hush, stood with heads uncovered, beyond the reach of the voice of the clergyman, to pay homage to one whom they loved and who had done so much for them.

Their friend, their Senator, was dead. His body was to be committed to the grave. His soul had ascended to its Maker. They stood in silence because perchance he might know. They wanted him to know their love, their sense of personal loss.

And their simple tender homage for their beloved townsman was echoed within the home, where we, who had grown to love and admire and respect him, and to value his wise counsel and advice, gained through association in the court and in the Congress, where we, too, stood and mourned.

It was my privilege to know Judge COLT for a number of years. I shall always remember him as Judge COLT, not Senator COLT, for while he served our State as Senator, he served it, too, as a judge who weighed the great public questions of his day with an eye single to what was best for the State and for the Nation.

He was a Republican. He believed in the party. But always he would decide all public questions free from party bias, seeking always what was best for the Nation, realizing always that all true party men, Republicans or Democrats, had foremost in their minds their country.

He was a gentleman by birth, by instinct, by education.

He was a scholar by inclination and by love.

He was a judge by temperament, by training, by experience.

LEBARON B. COLT

He was a statesman by love for his country and by his unalterable determination never to let personal or party considerations determine his course or warp his judgment on public questions.

And so to-day, when we pay honor to Judge COLT, who at the age of 67 honored Rhode Island by becoming her Senator, who served his country well for 12 long eventful years, I as one of his colleagues from Rhode Island, wish to record my appreciation and admiration of his sterling worth as a gentleman, as a scholar, as a lawyer, as a judge, and as a statesman, and above and beyond all these as an American.

Judge COLT was a friend of the new citizen. As chairman of the Senate's Committee on Immigration, he appreciated the American problem and sympathized with those who sought our shores to make good. He was eager to welcome those who came with the spirit of America and the desire to achieve success in this land of opportunity.

Looking at the problem from the broad viewpoint of America, and what America could do to enrich herself and aid the world, he feared no influx of foreign elements, if they came with the desire to make good Americans.

Rhode Island was well represented in the Senate by Judge COLT. He was, perhaps, of the old school. But the old school is representative of Rhode Island. If we of Rhode Island to-day can hold to the traditions of our founders, none ever need be ashamed. Passing through, as we are, these doubtful days of reconstruction, let us remember

MEMORIAL ADDRESSES

the principle upon which Rhode Island was founded—as Judge COLT remembered it—liberty to all within the law.

Personally I mourn the loss of Judge COLT as a friend. Personally I realize what he meant and what he represented. But in his life and in his work I realize that Rhode Island has been enriched. I know that he was a representative of Rhode Island spirit. I know that that spirit was strengthened by his acceptance of public office.

And so I know that he has accomplished much and his message to us would be “Carry on.”

And so, in closing, let me repeat: The streets of his quiet home town are thronged with those whom he loved and with those whom he served, with those who knew him best. Here they are gathered from every land. Here some are thinking of loved ones across the seas. They know his broad vision and they know that while he lived he would welcome to our shores everyone who would measure up to the standard of a true American citizen.

As he is borne to his grave they preserve their silence, their silent prayers, their tears—these furnish his tribute.

And we who served with him, we acquiesce.

The SPEAKER pro tempore. Pursuant to the resolution heretofore adopted the House will now stand adjourned.

Accordingly (at 4 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Monday, February 16, 1925, at 12 o'clock noon.

